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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/543,663	04/05/2000	Roland Lamer	15-IS-5288(70191/235)	7305

7590 08/02/2005
Joseph D. Kubborn
Andrus, Scales, Starke, & Sawall
100 East Wisconsin Ave.
Ste 1100
Milwaukee, WI 53202

EXAMINER

FRENEL, VANEL

ART UNIT	PAPER NUMBER
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3626

DATE MAILED: 08/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/543,663	Applicant(s) LAMER ET AL.	
	Examiner Vanel Frenel	Art Unit 3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/11/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-8,10,11 and 22-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-8,10,11 and 22-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the Request of Reconsideration of the Final Rejection filed on 04/11/05. Claims 1-3, 5-8, 10-11 and 22-31 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 5-8, 10-11 and 22-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ribitzky (6,363,393) in view of Evans et (6,266,675).

(A) As per claim 1, Ribitzky discloses a data management system for patient data, comprising: a first component having a functionality code segment and a first user interface code segment (See Ribitzky, Col.9, lines 44-67 to Col.10, line 19); a second component having a functionality code segment and a second user interface code segment (See Ribitzky, Col.9, lines 44-67 to Col.10, line 19); and a container application having a first user interface layer in communication with the first component and a second user interface layer in communication with the second component, wherein the first and second user interface layers are configured to convert the first user interface code segment of the first component and the second user interface code segment of the second component to a uniform user interface and to communicate patient data

Art Unit: 3626

between the functionality code segments of the first and second components, respectively (See Ribitzky, Col.9, lines 44-67 to Col.10, line 59).

Ribitzky does not explicitly disclose the uniform user interface such that the patient data of the functionality code segments of the first and second components are formatted with the same look and feel.

However, this feature is known in the art, as evidenced by Evans. In particular, Evans teaches the uniform user interface such that the patient data of the functionality code segments of the first and second components are formatted with the same look and feel (See Evans, Col.11, lines 32-67; Col.7, 1-19 to Col.8, line 17).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Evans within the system of Ribitzky with the motivation of providing a system and method which are needed for using relational databases to dynamically configure an application program easily (See Evans, Col.2, lines 10-12).

(B) As per claim 2, Evans discloses the data management system wherein the functionality code segment of the first component is configured to store and retrieve patient image data (Col.2, lines 15-35; Col.4, lines 36-43).

(C) As per claim 3, Evans discloses the data management system wherein the functionality code segment of the second component is configured to store and retrieve patient image data (Col.2, lines 15-35; Col.4, lines 36-43).

(D) As per claim 5, Ribitzky discloses the data management system further comprising a first service layer in communication with the first component and a second service layer in communication with the second component, wherein the first and second service layers are configured to communicate data between the functionality code segments of the first and the second components and a service (See Ribitzky, Col.8, lines 41-67 to Col.9, line 34).

(E) As per claim 6, Ribitzky discloses the data management system wherein the service includes a telecommunication service (See Ribitzky, Col.6, lines 43-67).

(F) As per claim 7, Ribitzky discloses a data management system for patient data, comprising: a first application for retrieving patient image data from a database and having a first user interface (See Ribitzky; Col.9, lines 44-67 to Col.10, line 19); a second application for processing patient text data and having a second user interface (Col.9, lines 44-67 to Col.10, line 19); and a data manager in communication with the first and second applications, wherein the data manager includes a user interface code segment in communication with the first and second applications for converting the first user interface and the second user interface to a uniform user interface and for receiving the patient image data and the patient text data for generating display signals based on the patient image data (See Ribitzky, Col.9, lines 44-67 to Col.10, line 59).

Ribitzky does not explicitly disclose the patient text data according to a predetermined display format, wherein the predetermined display format has a common look and feel for the patient image data and the patient text data.

However, this feature is known in the art, as evidenced by Evans. In particular, Evans teaches the patient text data according to a predetermined display format, wherein the predetermined display format has a common look and feel for the patient image data and the patient text data (See Evans, Col.11, lines 32-67; Col.7, 1-19 to Col.8, line 17).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Evans within the system of Ribitzky with the motivation of providing a system and method which are needed for using relational databases to dynamically configure an application program easily (See Evans, Col.2, lines 10-12).

(G) As per claim 8, Evans discloses the data management system further comprising a display unit configured to receive the display signals and provide a display based on the display signals (Col. 4, lines 52-64).

(H) As per claim 10, Evans discloses the data management system further comprising a third application configured to process data, the user interface code segment in communication with the third application and configured to receive the data and to generate display signals based on the data (Col.4, lines 52-64).

(I) As per claim 8, Ribitzky discloses the data management system wherein the third application is in communication with the internet (Col.6, lines 54-58).

(J) As per claim 22, Ribitzky discloses a method of displaying patient data from a plurality of applications, comprising: receiving patient image data using a first application having a first user interface (See Ribitzky; Col.9, lines 44-67 to Col.10, line 19); receiving patient text data using a second application having a second user interface (See Ribitzky; Col.9, lines 44-67 to Col.10, line 19); converting the first user interface and the second user interface to a uniform user interface (Col.10, lines 1-59).

Ribitzky does not explicitly disclose configuring the patient image data and the patient text data according to a predetermined display format; and displaying the configured patient image data and patient text data according to the display format such that the patient image data and the patient text data have the look and feel.

However, these features are known in the art, as evidenced by Evans. In particular, Evans teaches configuring the patient image data and the patient text data according to a predetermined display format; and displaying the configured patient image data and patient text data according to the display format such that the patient image data and the patient text data have the look and feel (See Evans, Col.11, lines 32-67; Col.7, 1-19 to Col.8, line 17).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Evans within the system of Ribitzky with the

motivation of providing a system and method which are needed for using relational databases to dynamically configure an application program easily (See Evans, Col.2, lines 10-12).

(K) As per claim 23, Ribitzky discloses the method further comprising receiving the patient image data from a PACS database (Col.6, lines 1-67).

(L) As per claim 24, Evans discloses the method wherein the predetermined display format includes a display format for an icon (Col.13, lines 18-59).

(M) As per claim 25, Evans discloses the method wherein the predetermined display format includes a display format for menu (Col.7, lines 10-19; Col.13, lines 18-59).

(N) As per claim 26, Evans discloses the method further comprising communicating the patient image data through a user interface layer (Col.6, lines 50-58).

(O) As per claim 27, Ribitzky discloses the method further comprising providing patient image data to one of the internet and an intranet (Col.6, lines 54-58).

(P) As per claim 28, Ribitzky discloses the data management system further comprising a third component having a functionally code segment and a third user interface code segment, wherein the container application is configured to communicate

patient data between the functionality code segments of the first, second and third components (Col.9, lines 1-58), respectively, and the uniform user interface (See Ribitzky, Col.10, line 35-59).

(Q) As per claim 29, Ribitzky discloses the data management system wherein the functionality code segment of the third component is configured to communicate with the Internet (Col.6, lines 54-58).

(R) As per claim 30, Ribitzky discloses the data management system wherein the service communicates with the first and second service layers via a predetermined protocol (See Col.6, lines 54-58).

(S) As per claim 31, Ribitzky discloses the data management system wherein the predetermined protocol includes componentware (Col.6, lines 30-58).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not the applied art teaches data collection device and system (6,779,024).

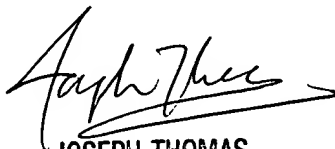
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 571-272-6769. The examiner can normally be reached on Monday-Thursday from 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

V.F
V.F

May 03, 2005


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600